

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

Bail Appl..No. 344 of 2007()

CR No.173/06 of Kudiyanmala Police Station

: PETITIONERS:

1. SAJI MADAVANA, S/O.JOSEPH,
AGED 30 YEARS, AGRICULTURIST,
KADAVANA HOUSE, MANDALAM, NADUVIL AMSOM DESOM,
TALIPARAMBA TALUK, KANNUR DISTRICT.
2. MANOJ MANJALANGAN, S/O. THOMAS,
AGED 30 YEARS, AGRICULTURIST, MANJALANGAN HOUSE,
MANDALAM, NADUVIL AMSOM DESOM,
TALIPARAMBA TALUK, KANNUR DISTRICT.
3. THANKACHAN AUGUSTINE, S/O.AUGUSTINE
AGED 40 YEARS, AGRICULTURIST, AZHAKAN PARAMBIL,
MANDALAM, NADUVIL AMSOM DESOM,
TALIPARAMBA TALUK, KANNUR DISTRICT.

BY ADV. SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI
SRI.V.JOHN SEBASTIAN RALPH

RESPONDENT: COMPLAINANT

STATION HOUSE OFFICER, KUDIYANMALA
POLICE STATIN, KANNUR DISTRICT.
(CRIME NO.173/06 OF KUDIYANMALA
POLICE STATION, KANNUR DISTRICT)
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT
OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V.Ramkumar, J.

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B.A.No. 344 of 2007

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Dated this the 22nd day of January, 2007.

ORDER

In this Petition filed under Sec. 438 Cr.P.C. the petitioners who are accused Nos. 1 to 3 in CR No.173 of 2006 of Kudiyanmala Police Station for offences punishable under Secs. 323, 324, 294(b) and 506 (ii) read with Section 34 I.P.C., seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. First petitioner-first accused shall be subject to custodial interrogation for the purpose of recovery of

incriminating material, if any, before he is released on bail by the Investigating Officer.

2. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

3. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

4. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

5. Petitioners shall not commit any offence while on bail.

6. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.